

Use of Reasonable Force Policy



Positive handling is the positive application of reasonable, proportionate and necessary force with the intention of protecting a child from harming himself or others or seriously damaging property. Our main concern at Queen's Hill Primary School is the care and protection for everyone within our school community and restraint may be needed on very rare occasions. We will endeavour to handle every situation with care and responsibility.

Staff are authorised to use reasonable physical intervention and have agreed to follow the principles of Norfolk Steps regarding handling children in school.

The school will *always* follow our policy and parents are *always* fully informed about any situation that arises.

NORFOLK STEPS

All teachers and teaching assistants were trained in the '**Norfolk Steps**' approach to behaviour management. This will be refreshed periodically. Norfolk Steps is an approach that aims to reduce and manage conflict and build a positive school ethos. The training covers a range of areas. These areas include: conflict de-escalation, calm body language, debriefing and positive handling techniques.

In line with this approach, staff agreed on a number of principles:

- Handling children in a safe, positive and dignified way
- Being proactive in managing children's behaviour i.e. trying to avoid situations which may cause conflict
- Staff should always speak to children respectfully and calmly – reducing conflict and leading by example.
- Acting to help children and to reduce conflict, avoid behaviours which that may escalate the conflict.
- It is important to use a calm stance and de-escalation script in a conflict situation
- 'Recovery time' should be given for the child to calm down after an incident, after which time there should be a de-brief.
- The importance of recording incidents and the harm caused by them

A risk management plan should be completed for any child for whom there is a 'foreseeable risk' that they may behave in a way that will cause harm to themselves, others or property. These will be discussed and shared with parents.

Norfolk Steps Approach

De-escalation script is a prepared script to be used when a child is trying to engage adults or others in conflict. The script is:

1. Child's name
2. I can see something has happened
3. I'm here to help
4. Talk and I'll listen
5. Come with me and...

It is important that all staff use the same script, although it can be in a different order. The De-escalation script should be used repeatedly with no variation from it until the child has been persuaded to leave the situation and calm down.

Guiding and Escorting

Sometimes it may be necessary to guide children, for example, away from a situation causing conflict or to prevent violent behaviour from happening. All staff who have completed the Step On training have been trained how to do this in a way that does not harm the child or put anyone else at risk.

The most risk free way is to form a 'mitten' shape with the fingers and thumb and place just above the child's elbow. The elbow should NOT be held, so that the child is free to move away; any force exerted can only be by the child pushing back.

This can be extended to a more assertive 'escorting' position by standing side by side with the child and placing the 'mittens' on both of the child's elbows. The adult's shoulder should be behind the child to guide them. This position will lessen the risk of the child turning and lashing out. Both guides and escorts should be performed only if absolutely necessary and should be recorded on the appropriate form, along with an explanation of the reasons for it and what other strategies had been tried first.

Calm Stance

When a child is in a state where conflict is inevitable or already happening, adults must adopt an open body stance – 'side on' to the pupil and encourage the pupil to move by motioning with the hand which way to go.

Calm stance and escorting should usually be used in conjunction with the de-escalation script, in order to remove a child calmly and assertively from a conflict situation.

Restrictive Physical Intervention (RPI)

Very occasionally incidents may occur where a child needs to be positively handled to prevent themselves or others from serious harm. This is only ever justified in cases of actual harm (as opposed to potential harm). In all cases, 95% is de-escalation, 5% RPI. Adults who have been trained in 'Step Up' will be named on a child's behaviour plan to support with RPI when necessary. However, all members of staff are able to use RPI in an emergency or if there are no trained members of staff in the immediate vicinity. There may be occasions where staff who have not been trained need to use restraint e.g. to stop a child running in front of a car, or other situations that involve immediate risk of harm. In all cases staff must use their best judgment (dynamic risk assessment) and ensure that all actions are reasonable, proportionate and necessary.

If a child presents a foreseeable risk, school should prepare a risk assessment for them and seek advice from the Norfolk Steps Team.

What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions used by most teachers at some point in their career that involve a degree of physical contact with pupils.
2. Force is usually used either to control or restrain. This can range from guiding a pupil to safety by the arm through to more extreme circumstances such as breaking up a fight or where a student needs to be restrained to prevent violence or injury.
3. 'Reasonable in the circumstances' means using no more force than is needed.
4. As mentioned above, schools generally use force to control pupils and to restrain them. Control means either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of a classroom.
5. Restraint means to hold back physically or to bring a pupil under control. It is typically used in more extreme circumstances, for example when two pupils are fighting and refuse to separate without physical intervention.

6. School staff should always try to avoid acting in a way that might cause injury, but in extreme cases it may not always be possible to avoid injuring the pupil.

Who can use reasonable force?

- Ideally, the trained member of staff named on a child's behaviour plan will use RPI when necessary. However, all members of school staff have a legal power to use reasonable force.².
- This power applies to any member of staff at the school. It can also apply to people whom the headteacher has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

²*Section 93, Education and Inspections Act 2006*

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In a school, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

Schools can use reasonable force to:

- remove disruptive children from the classroom where they have refused to follow an instruction to do so;
- prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- prevent a pupil from attacking a member of staff or another pupil, or to stop a fight in the playground; and
- restrain a pupil at risk of harming themselves through physical outbursts.

Schools cannot:

- use force as a punishment – it is always unlawful to use force as a punishment.

Following an incident:

A number of steps must be taken:

- After the child has had time to calm down, a restorative conversation must be conducted. This is intended to ensure the child understands why the adult had to use positive handling techniques with them and to help them reflect on their behaviour in order to move towards more positive behaviour in the future. The conversation will be guided by these questions:
 - *What happened?*
 - *Who was affected?*
 - *How were those people affected?*
 - *What can we do differently next time?*
- A written record must be made on a 'Restraint Record'. This record must then be uploaded to CPOMS.

- Parents must be informed
- In case of any changes in the child's behaviour, their risk assessment must be updated.
- If this is the first time this child has displayed dangerous behaviour, a risk assessment must be implemented.

What happens if a pupil complains when force is used on them?

- All complaints about the use of force should be thoroughly, speedily and appropriately investigated.
- Where a member of staff has acted within the law – that is, they have used reasonable force in order to prevent injury, damage to property or disorder – this will provide a defence to any criminal prosecution or other civil or public law action.
- When a complaint is made the onus is on the person making the complaint to prove that his/her allegations are true – it is not for the member of staff to show that he/she has acted reasonably.
- Suspension must not be an automatic response when a member of staff has been accused of using excessive force. Schools should refer to the "Dealing with Allegations of Abuse against Teachers and Other Staff" guidance (see the 'Further sources of information' section below) where an allegation of using excessive force is made against a teacher. This guidance makes clear that a person must not be suspended automatically, or without careful thought.
- Schools must consider carefully whether the circumstances of the case warrant a person being suspended until the allegation is resolved or whether alternative arrangements are more appropriate.
- If a decision is taken to suspend a teacher, the school should ensure that the teacher has access to a named contact who can provide support.
- Governing bodies should always consider whether a teacher has acted within the law when reaching a decision on whether or not to take disciplinary action against the teacher.
- As employers, schools and local authorities have a duty of care towards their employees. It is important that schools provide appropriate pastoral care to any member of staff who is subject to a formal allegation following a use of force incident.

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